



WILLIAMS BROTHERS  
ROOFING AND SIDING CO., INC.  
S I N C E 1 9 3 7

US EPA RECORDS CENTER REGION 5



487299

JULY 01, 1993

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO IL 60604  
ATTN: CATHERINE GARYPIE  
ASSISTANT REGIONAL COUNSEL

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MS GARYPIE:

Herein is the response to Information Request dated 6-03-93  
regarding the POWELL ROAD LANDFILL IN HUBER HEIGHTS OHIO.

1. PERSONS CONSULTED IN PREPERATION:

THERESA S WILLIAMS, TREASURER  
WILLIAMS BROS ROOFING & SIDING CO INC  
3600 VALLEY STREET 1-1-84 TO PRESENT  
DAYTON OH 45424

RICHARD K PFEIFFENBERGER, PRESIDENT  
WILLIAMS BROS ROOFING & SIDING CO INC  
3600 VALLEY STREET 1-1-89 TO PRESENT  
DAYTON OH 45424

BRIAN ROBERTS ATTY  
JABLINSKI, FOLION, ROBERTS, SCHULTZ & MARTIN ATTYS  
214 MONUMENT AVE W  
DAYTON OH 45402

MARTIN M WILLIAMS, FORMER PRESIDENT  
WILLIAMS BROS ROOFING CO INC  
3600 VALLEY STREET RETIRED 1-1-84  
DAYTON OH 45424

THOMAS M WILLIAMS, FORMER VICE PRESIDENT  
WILLIAMS BROS ROOFING CO INC  
3600 VALLEY STREET RETIRED 1-1-84  
DAYTON OH 45424

2. FROM THE OFFICE OF: WILLIAMS BROS ROOFING & SIDING CO INC  
3600 VALLEY STREET  
DAYTON OH 45424

- \* UNAUDITED FINANCIAL STATEMENTS FOR LAST 5 YEARS
- \* 1120 FEDERAL TAX RETURN COPIES FOR LAST 3 YEARS
- \* AFFIDAVIT STATING - DILIGENT RECORD SEARCH...

3600 VALLEY ST. • DAYTON, OHIO 45424 • (513) 233-4175 FAX • (513) 236-4744





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FROM THE OFFICE OF BROWER INSURANCE AGENCY:  
P O BOX 37  
DAYTON OH 45401

\* LIABILITY INSURANCE POLICY INFORMATION  
from: 1979 to: PRESENT

FROM THE OFFICE OF ROUTZONG INSURANCE INC:  
SOCIETY BANK BUILDING  
DAYTON OH 45401

\* LIABILITY INSURANCE POLICY INFORMATION  
from: 1959 to: 1978

FROM THE OFFICE OF JABLINSKI, FOLINO, ROBERTS, SCHULTZ &  
MARTIN ATTYS:

214 MONUMENT AVENUE W  
DAYTON OH 45402

\* ARTICLES OF INCORP and CODE OF REGULATIONS

3. NONE

4. N/A

5. WE DENY ANY OF OUR EMPLOYEES, CONTRACTORS, OR AGENTS  
MAY HAVE CAUSED THE RELEASE OR THREAT OF RELEASE OF  
HAZARDOUS SUBSTANCES, POLLUTANTS OR CONTAMINANTS AT THE  
SITE, AND THAT ANY OTHER PERSONS, IN THIS CASE, ARE  
UNKNOWN TO US.

6. FACILITIES OPERATED BETWEEN 1-1-59 and 12-31-85 INCLUDE:

3235 VALLEY STREET CLOSED  
DAYTON OH 45404 1965  
OPERATOR: UNKNOWN

3600 VALLEY STREET CURRENTLY OPERATING  
DAYTON OH 45424  
OPERATOR: WILLIAMS BROS ROOFING & SIDING CO INC





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7. WE DENY THAT ANY PERSON HAS KNOWLEDGE OR INFORMATION ABOUT THE GENERATION, TRANSPORTATION, TREATMENT, DISPOSAL OR OTHER HANDLING OF HAZARDOUS SUBSTANCES AT THOSE FACILITIES.

THE FOLLOWING INDIVIDUALS MAY HAVE KNOWLEDGE OR INFORMATION ABOUT OTHER WASTE MATERIALS GENERATED.

MARTIN M WILLIAMS, FORMER PRESIDENT  
THOMAS M WILLIAMS, FORMER VICE PRESIDENT  
RICHARD K PFEIFFENBERGER PRESIDENT  
ELWOOD E SHADE VICE PRESIDENT  
MARTIN E WILLIAMS SECRETARY  
THERESA S WILLIAMS TREASURER

8a-f. NO

9a-h. NO

10. WE DENY THAT ANY PERSON ARRANGED FOR TRANSPORTAION OF OR DISPOSAL OR TREATMENT OF ANY HAZARDOUS SUBSTANCES TO OR AT THE SITE BETWEEN 1-1-59 AND 12-31-85.

THE FOLLOWING INDIVIDUALS MAY HAVE KNOWLEDGE OR INFORMATION ABOUT ARRANGEMENTS FOR OTHER WASTE MATERIALS TRANSPORTED OR DISPOSED OF.

MARTIN M WILLIAMS, FORMER PRESIDENT  
THOMAS M WILLIAMS, FORMER VICE PRESIDENT  
RICHARD K PFEIFFENBERGER PRESIDENT  
ELWOOD E SHADE VICE PRESIDENT  
MARTIN E WILLIAMS SECRETARY  
THERESA S WILLIAMS TREASURER

RECORDS AND DOCUMENTATION OF ACCOUNT ACTIVITY AND OR BUSINESS ACTIVITY RELATED TO THIS LANDFILL ARE NO LONGER IN THE POSSESSION, CUSTODY OR CONTROL OF THE COMPANY. THEY HAVE BEEN DISPOSED OF IN ACCORDANCE WITH NORMAL RECORD KEEPING TIME LIMITS.

UNABLE TO ANSWER REQUEST 10a-q.





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11. INFORMATION LETTERS FROM AGENTS INCLUDED IN RESPONSE PACKAGE.
12. COPIES OF 1120 FEDERAL TAX RETURNS FROM YEARS 1992, 1991, 1990, INCLUDED IN RESPONSE PACKAGE.
- 13a. COPY OF ARTICLES OF INCORP AND CODE OF REGS INCLUDED IN RESPONSE PACKAGE.
- b. COPIES OF UNAUDITED FINANCIAL STATEMENTS FOR YEARS 1992, 1991, 1990, 1989, 1988 INCLUDED IN RESPONSE PACKAGE.
- c. COPY OF CURRENT LIST OF ASSETS AND LIABILITIES, AND PERSONS WHO OWN OR ARE RESPONSIBLE FOR SAME INCLUDED IN RESPONSE PACKAGE.
- d. PARENT COMPANY IS WILLIAMS BROS ROOFING & SIDING CO INC. THERE ARE NO SUBSIDIARIES.
14. N/A
15. N/A
16. N/A
17. STATUTORY AGENT FOR WILLIAMS BROS ROOFING & SIDING CO INC  
SHEARL ROBERTS ATTY  
JABLINSKI, FOLINO, ROBERTS, SCHULTZ & MARTIN ATTYS  
214 MONUMENT AVENUE W  
DAYTON OH 45402.  
513 461-5980





**WILLIAMS BROTHERS**  
ROOFING AND SIDING CO., INC.  
S I N C E 1 9 3 7

**A F F I D A V I T**  
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State of Ohio

ss:

Montgomery County

R.K. PFEIFFENBERGER, first being duly cautioned and sworn according to law deposes and says that he is the PRESIDENT of WILLIAMS BROTHERS ROOFING & SIDING CO., INC., he further states that a diligent record search has been completed and that there has been a diligent interviewing process with present employees who may have knowledge of the operations, hazardous substance use, storage, treatment, releases, spills, disposal or other handling practices of the company between 1-1-59 and 12-31-85. To the extent that any information this company provides relating to these requests is based on personal knowledge, or the personal knowledge of the employees, agents or other representatives.

Signature: *RK Pfeifferberger*

Title : PRESIDENT

Sworn to and subscribed before me and in my presence by the said *RK Pfeifferberger*, this *30<sup>th</sup>* day of *June* 1993.

*Kimberly J. Parks*  
Notary



KIMBERLY J. PARKS  
Notary Public-State of Ohio  
My commission expires *3-27-95*

each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure or notation, annotation or the like on it, (c) drafts, (d) attachments to or enclosures with any documents and (e) every document referred to in any other document.

12. "And" as well as "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of these Information Requests any information which might otherwise be construed to be outside their scope.

#### REQUESTS

1. Identify all persons consulted in the preparation of the answers to these Information Requests.

2. Identify the source(s) of all documents consulted, examined, or referred to in the preparation of the answers to these Requests (e.g., particular persons, plants, divisions or departments).

3. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Information Request or who may be able to provide additional responsive documents, identify such persons, and each request for which the person is identified.

4. List the EPA Identification Numbers of the Respondent.

5. Identify any persons, other than your employees, contractors, or agents, that may have caused the release or threat of release of hazardous substances, pollutants, or contaminants at the Site. Describe the acts or omissions which may have caused the release or threat of release of hazardous substances, pollutants, or contaminants at the Site and damages resulting therefrom.

6. Identify each facility that Respondent owned or operated in Clark County, Ohio, Green County, Ohio, Miami County, Ohio, or Montgomery County, Ohio, from January 1, 1959, to December 31, 1985. List the name and address of each facility and the operating status of each facility (currently operating, closed, etc.) and identify the current owner or operator, if not the Respondent.

7. Identify all persons having knowledge or information about the generation, transportation, treatment, disposal or other handling of hazardous substances by you, your contractors, or by prior owners and or operators at any of the facilities identified in response to 6., above.

8. Did you ever use, purchase, store, treat, dispose, transport or otherwise handle any hazardous substances or materials from January 1, 1959 to December 31, 1985? If the answer to the preceding question is anything but an unqualified "no", identify:

- a) The chemical composition, characteristics, physical state (e.g., solid, liquid) of each hazardous substance;
- b) Who supplied you with such hazardous substances;
- c) How such hazardous substances were used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you;
- d) When such hazardous substances were used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you;
- e) Where such hazardous substances were used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you; and
- f) The quantity of such hazardous substances used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you.

9. Did you or any other person working with you or on your behalf ever accept waste materials for transportation to the Site from any person between January 1, 1959 and December 31, 1985? If the answer to this question is anything but an unequivocal no, identify:

- a) The persons from whom you or such other persons accepted waste materials for transport to the Site;
- b) Every date on which waste materials were so accepted or transported;
- c) For each transaction, the nature of the waste materials accepted or transported, including the chemical content, characteristics, physical state (e.g., solid, liquid); and the process for which the material was used or the process which generated the material;
- d) For each material, describe any warnings given to you with respect to its handling;
- e) The owner of the materials so accepted or transported;

f) The quantity of the material involved (weight or volume) in each transaction and the total quantity for all transactions;

g) All tests or analyses and analytical results concerning each material;

h) The price charged for transport and/or disposal per drum, barrel, container, load (or whatever unit used) of waste materials brought to the Site.

10. Identify all persons, including yourself, who may have arranged for disposal or treatment or arranged for transportation for disposal or treatment of waste materials, including hazardous substances, at the Site or to the Site between January 1, 1959 and December 31, 1985. In addition, identify the following:

a) The persons with whom you or such other persons made such arrangements, including, but not limited to, SCA, SCA of Ohio, SCA of Dayton, SCA-Miami County, Container Services, IWD, Koogler-Suburban, Blaylock Trucking, Dempsey Trucking, LTT Hauling, Elwood D. Vince, General Refuse, Delaney & Simpson, N & N Commercial Waste, Montgomery County, and Miami County;

b) Every date on which such arrangements took place;

c) For each transaction, the nature of the waste material or hazardous substance, including the chemical content, characteristics, physical state (e.g., solid, liquid) and the process for which the substance was used or the process which generated the substance;

d) The owner of the waste materials or hazardous substances so accepted or transported;

e) The quantity of the waste materials or hazardous substances involved (weight or volume) in each transaction and the total quantity for all transactions;

f) All tests, analyses, and analytical results concerning the waste materials;

g) The person(s) who selected the Site as the place to which the waste materials or hazardous substances were to be transported;

h) The amount paid in connection with each transaction, the method of payment, and the identity of the person from whom payment was received;



- i) Where the person identified in g., above, intended to have such hazardous substances or waste materials transported and all evidence of this intent;
- j) Whether the waste materials or hazardous substances involved in each transaction were transshipped through, or were stored or held at, any intermediate site prior to final treatment or disposal;
- k) What was actually done to the waste materials or hazardous substances once they were brought to the Site;
- l) The final disposition of each of the waste materials or hazardous substances involved in such transactions;
- m) The measures taken by you to determine the actual methods, means, and site of treatment or disposal of the waste material and hazardous substances involved in each transaction;
- n) The type and number of containers in which the waste materials or hazardous substances were contained when they were accepted for transport, and subsequently until they were deposited at the Site, and all markings on such containers;
- o) The price paid for (i) transport or (ii) disposal or (iii) both, of each waste material and hazardous substance;
- p) All documents containing information responsive to a)-o) above, or in lieu of identification of all relevant documents, provide copies of all such documents;
- q) All persons with knowledge, information, or documents responsive to a)-o) above.

- \* 11. Identify all liability insurance policies held by Respondent from 1959 to the present. In identifying such policies, state the name and address of each insurer and of the insured, the amount of coverage under each policy, the commencement and expiration dates for each policy, whether or not the policy contains a "pollution exclusion" clause, and whether the policy covers or excludes sudden, nonsudden or both types of accidents. In lieu of providing this information, you may submit complete copies of all relevant insurance policies.
- \* 12. Provide copies of all income tax returns sent to the Federal Internal Revenue Service by Respondent in the last three years. If filed separately, provide copies of all income tax returns sent to the Federal Internal Revenue Service by facilities identified in response to 6., above, in the last three years.

13. If Respondent is a Corporation, respond to the following requests:

- \* a) Provide a copy of the Articles of Incorporation and By-Laws of the Respondent.
- \* b) Provide Respondent's audited financial statements for the past five fiscal years, including, but not limited to those filed with the Internal Revenue Service. If audited financial statements are not in existence, provide unaudited financial statements.
- \* c) Identify all of Respondent's current assets and liabilities and the persons who currently own or are responsible for such assets and liabilities.
- \* d) Identify the parent corporation and all subsidiaries.

14. If Respondent is a Partnership, provide copies of the Partnership Agreement.

15. If Respondent is a Trust, provide all relevant agreements and documents related to support this claim.

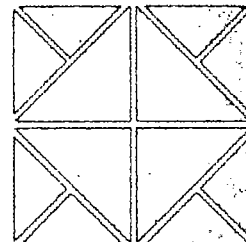
16. If Respondent is a business association or joint venture or other similar business organization, provide all relevant agreements and documents to support this claim.

17. Identify, including telephone number, any person designated to receive all future correspondence from U.S. EPA regarding the Site.



June 30, 1993

#11



**Brower**

Insurance and Bonds  
Since 1935

Attn: Terry Williams  
Williams Brothers Roofing and Siding Co., Inc.  
3600 Valley Street  
Dayton, Ohio 45424

Re: Past Policy Information

Dear Terry:

Our agency is in the process of getting together past policy information that you have requested with regard to the Powell Road Landfill. We intend to have our information compiled and to you within the next 7 to 10 days.

Thank you for your patience in this matter.

Sincerely,

THE BROWER INSURANCE AGENCY

*Mary E. Hildebrecht*  
Mary E. Hildebrecht, CPIW  
Commercial Account Manager  
for E. Jerome Zwiesler, CPCU

/meh